

05/24/2005 TUE 14:12 FAX 510 262 7095 Berlex Biosciences

RECEIVED
CENTRAL FAX CENTER

001/003

MAY 24 2005

PTO/SB/21 (08-03)

Approved for use through 08/30/2003. OMB 0851-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM		Application Number	10/815,342
(To be used for all correspondence after initial filing)		Filing Date	1 April 2004
		First Named Inventor	ABDUL-AHAD, Ayad
		Art Unit	Not yet assigned
		Examiner Name	Not yet assigned
Total Number of Pages in This Submission	3	Attorney Docket Number	53208AUSM1

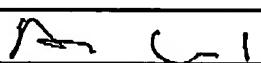
ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Technology Center (TC)
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Preliminary Amendment (2 pages)	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Response to Missing Parts/ Incomplete Application		
<input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53		
Remarks		
This Transmittal Form and attached Preliminary Amendment is submitted via Fax at (703) 872-9306.		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Anna Gil
Signature	
Date	24 May 2005

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Anna Gil
Signature	
Date	24 May 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

MAY 24 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re to the Application of:	
Ayad ABDUL-AHAD and Dietmar GROSS	Examiner: Not Yet Assigned
Serial No.: 10/815,342	Group Art Unit: Not Yet Assigned
Filed: 1 April 2004	Docket No.: 53208AUSM1
Title: Higher Doses Of Interferon-Beta For Treatment Of Multiple Sclerosis	

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PRELIMINARY AMENDMENT

Dear Sir:

Prior to initial examination, please amend the above-identified application as follows:

In the specification,

On page 23, line 18, please replace "1b" with "1a".

The preliminary amendment is requested to correct for editorial error. The error is obvious in view of the context and description concerning the isolation of a native human IFN- β gene from human fibroblasts and substituting the serine at position 17 with cysteine to make IFN- β 1b_{ser17} (see page 23, lines 17-19).

Support for the amendment is found throughout the application e.g., see the subsection entitled "Interferon-Beta Muteins" (e.g., page 12, line 34 to page 13, line 36).

In view of the above remarks, no new matter is added by way of the requested amendment. Therefore, entry of the amendment is respectfully requested.